

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

KENDRA BOOZER,

Plaintiff,

v.

Case No. 10-50735

TOWNE AIR FREIGHT, et al.,

Defendants.

**ORDER GRANTING THIRD-PARTY STEPHEN M. FACTOR'S
MOTION TO QUASH SUBPOENA**

Pending before the court is third-party Stephen M. Factor's "Motion to Quash Subpoena," filed on June 18, 2010. The subject of the motion is a subpoena against Michigan Health issued by Plaintiff. Plaintiff has not filed a response, and the time for filing a response has expired. The court has read Factor's brief in support of his motion to quash and is satisfied that his assertion that the subpoena is unduly burdensome and overly broad has an adequate basis in fact and law. In the absence of a response or opposition by Plaintiff, the court will therefore grant Factor's motion. Accordingly,

IT IS ORDERED that Factor's "Motion to Quash Subpoena" [Dkt. # 1] is
GRANTED.

IT IS FURTHER ORDERED that, pursuant to Federal Rule of Civil Procedure 45(c)(1), expenses, costs, and attorneys fees are AWARDED against Plaintiff and to

Stephen M. Factor in an amount equal to Factor's expenses, costs, and attorneys fees incurred by the filing of this motion. Factor shall file, on or before **August 20, 2010**, an affidavit detailing these expenses, costs, and fees. The court will then enter a separate judgment awarding them.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: August 12, 2010

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, August 12, 2010, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522